

## Implementation of the GNI's updated principles by Orange

In 2000, Orange was one of the first corporations to sign the United Nations Global Compact. Compliance with the fundamental principles set out in the Universal Declaration of Human Rights and by the International Labour Organization figures explicitly in the Group's Code of Ethics.

Orange thereby confirms its commitment to respect and promote fundamental human rights in its activities and sphere of influence, particularly to support and promote worldwide freedom of expression and respect for privacy.

- The right to freedom of opinion and expression includes the right to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.
- Broad public access to information and the freedom to create and communicate ideas are critical to the advancement of knowledge, economic opportunity and human potential.
- The right to freedom of expression should not be restricted by governments, except in narrowly defined circumstances based on internationally recognized laws or standards. These restrictions should be consistent with international human rights laws or standards and the rule of law. They must be necessary and proportionate for the relevant purpose.

In its interactions with governments, on the subjects of freedom of expression and respect for privacy, Orange was a founder member of the Telecom Industry Dialogue (TID), and in recent years has put out a transparency report on government requests for interceptions and customer data, as well as a detailed report on implementing the TID principles. In March 2017 the TID merged with the Global Network Initiative (GNI), a multi-stakeholder platform including NGOs, civil society, academics and internet operators; Orange is a member of GNI's new Board of Directors. This was an opportunity to review and update the guiding principles of these two organisations. This year Orange will deliver its report on implementing the new GNI's updated principles.

It is important to note that the new French Duty of Care law led Orange at the end of 2017 to institute a Vigilance plan for implementation in 2018, which pulls together a number of processes (materiality matrix for CSR challenges, Human Rights risk assessment, alarm system for human rights infringements in particular, etc.) which meet the requirements of a number of GNI principles.

Finally, 2017 was also the year in which Orange published its first "Orange and human rights" report, in compliance with United Nations guidelines on companies and human rights.

GNI 2017 Principles	Orange's implementation of these principles - 2017
1. Participating companies will respect and work to protect the freedom of expression of their users by seeking to avoid or minimize the impact of government restrictions on freedom of expression, including restrictions on the information available to users and the opportunities for users to create and communicate ideas and information, regardless of frontiers or media of communication.	<p>Orange has instituted an assessment process to deal with a significant increase in such government demands for restrictions, to ensure the demand is legitimate. Before any network shut-down or service interruption, Orange ensures it has received a traceable request from the relevant State authority, which must comply with local legislation and licence agreements, and be sent to Orange's local management.</p> <p>The Group CSR directorate retains a record of these requests to be available for an audit on the matter. Orange's commitment to GNI will see it initiate this type of audit at the start of 2019.</p>
2. Participating companies will respect and work to protect the freedom of expression rights of users when confronted with government demands, laws and regulations to suppress freedom of expression, remove content or otherwise limit access to communications, ideas and information in a manner inconsistent with internationally recognized laws and standards.	<p>Orange respects and works to protect freedom of expression, making use of analysis of the legal framework for restrictions to freedom of expression and respect for privacy in each country where the company is active; this analysis is executed and shared within TID, of which Orange is a founder member, and now within GNI.</p> <p>The analysis means that the legitimacy of each request can be checked before entering into dialogue with the authority making the request.</p>
3. Participating companies will employ protections with respect to personal information in all countries where they operate in order to work to protect the privacy rights of users.	<p>Orange is committed to respecting its customers' right to privacy. The Group has launched its international <i>Data Strategy &amp; Governance</i> programme, its purpose being to define best practices for maximising use of customer data for innovation, to improve the customer experience, to fight against fraud and to improve operational performance. Central to these practices, Orange applies principles of legitimate and responsible use of the data, developing simple applications to enable its customers to control and manage the data they entrust to Orange. The <i>Data Strategy Governance Board</i>, a body attached to the Group's executive board, is the guarantor; <i>Data Protection Officers</i> have been appointed in all the Group's European subsidiaries, with personal data protection contacts identified in the MEA zone countries, guaranteeing compliance with Orange's personal data protection policy. In France, Orange has published a Charter on its commitments to respect personal data: <a href="http://c.orange.fr/Charte-Orange-relative-a-la-protection-des-donnees-personnelles-et-de-la-vie-privee.pdf">http://c.orange.fr/Charte-Orange-relative-a-la-protection-des-donnees-personnelles-et-de-la-vie-privee.pdf</a></p>
4. Participating companies will respect and work to protect the privacy rights of users when confronted with government demands, laws or regulations that compromise privacy in a manner inconsistent with internationally recognized laws and standards.	<p>The principles and procedures adopted within the Group with respect to freedom of expression also apply to the right to privacy. (see implementation in point 2). Additionally, with support from Maplecroft, Orange analyses discrepancies between local and international law.</p>
5. Participating companies will ensure that the company Board, senior officers and others responsible for key decisions that impact	<p>Since 2016, Orange has been using a training tool, co-developed with EDH (Entreprises pour les Droits de l'Homme - Companies for Human Rights, an association</p>

<p>freedom of expression and privacy are fully informed of these Principles and how they may be best advanced.</p>	<p>of 17 major French corporations) to impart these core principles to its employees. This e-learning training tool is now available in more than 90% of the Group's countries.</p> <p>At the end of 2017, Orange produced its <u>Vigilance plan</u>. The plan comprises suitable vigilance measures for identifying and preventing risks that jeopardise fundamental human rights and freedoms, as well as the health and safety of individuals and the environment, such risks resulting from the activities of the company and those that it controls, as well as the activities of sub-contractors or suppliers with which an established commercial relationship is maintained. It includes risk mapping, procedures for assessing the situation of subsidiaries, sub-contractors and suppliers, actions for reducing risks and preventing serious impacts, an alarm and notification processing mechanism and a system for tracking the measures taken.</p> <p>This plan was presented to the Group CSR Committee, a body attached to the Group's executive board, and to staff representative bodies. Senior management and other personnel responsible for the key decisions affecting freedom of expression and respect for privacy will be adopting the plan during 2018.</p> <p>Finally, in 2017 Orange published its first report dedicated to human rights, drafted according to a reporting framework that complies with United Nations Guidelines on companies and human rights<sup>1</sup>, as well as with its first Declaration on combating modern slavery<sup>2</sup>.</p>
<p>6. Participating companies will identify circumstances where freedom of expression and privacy may be jeopardized or advanced and integrate these Principles into their decision making in these circumstances.</p>	<p>Orange maintains a preventive watch, for which the Group uses work done by Maplecroft on its behalf, the better to contain potential impacts country by country. Impacts on privacy and freedom of expression constitute a risk cluster identified in our Vigilance plan (point 5), and are therefore subject to an assessment process, a risk reduction and serious impact prevention action plan, an alarm and notification processing mechanism and a system for tracking the measures taken.</p> <p>Orange is also considering extending its dialogue procedure for communicating with individuals deprived of its services when Orange is responsible (and compensation may be due) to all persons deprived of its services, for whatever reason.</p>
<p>7. Participating companies, when implementing these Principles, will always seek to ensure the safety and liberty of company personnel who may be placed at risk.</p>	<p>Orange's networks are built and serviced by field personnel in numbers ranging from several hundred to several thousand. The Group's policy is to minimise the use of expatriates. In times of disturbance, or when a government makes demands that might jeopardize the safety or freedom of its staff, Orange's first priority is to protect its personnel, ahead of the need to protect</p>

<sup>1</sup> <https://www.orange.com/en/content/download/45336/1348812/version/9/file/Report%202016%20Orange%20Human%20Rights%20DIGITAL-VA.pdf>

<sup>2</sup> [https://www.orange.com/en/content/download/42901/1310481/version/4/file/MSA\\_D%C3%A9claration\\_10.05.2017\\_final\\_eng.pdf](https://www.orange.com/en/content/download/42901/1310481/version/4/file/MSA_D%C3%A9claration_10.05.2017_final_eng.pdf)

	privacy and freedom of expression.
8. Participating companies will implement these Principles when they have operational control. When they do not have operational control, participating companies will use best efforts to ensure that business partners, investments, suppliers, distributors and other relevant related parties follow these Principles.	In implementing its Vigilance plan, Orange considers its commercial partners, suppliers and distributors. Group framework contracts as well strictly local contracts include a CSR clause, strengthened by the inclusion of the Orange Code of Conduct <sup>3</sup> as an appendix to these contracts. The Code of Conduct describes the ethical, social and environmental commitments the Group expects. In this way, Orange requires its partners, suppliers and their sub-contractors in turn to i) comply with all national, European and international rules associated with standards of ethical and responsible behaviour. This includes and is not limited to standards on human rights, environmental protection, sustainable development, combating corruption and child protection; ii) adopt and apply the Group's ethical standards and commitments and to improve in this area. Orange supports its suppliers, throughout the pre-contractual and contractual relationship, in the effective implementation of this Code of Conduct.
9. Participants will take a collaborative approach to problem solving and explore new ways in which the collective learning from multiple stakeholders can be used to advance freedom of expression and privacy.	Orange, with the majority of TID members, joined the GNI (Global Network Initiative, a multi-stakeholder platform that includes internet operators, NGOs, academics and socially responsible investors) in 2017, and has a seat on its Board of Directors. The Global Network Initiative's mission is to protect and advance freedom of expression and privacy in the ICT industry by setting a global standard for responsible company decision making and by being a leading voice for freedom of expression and privacy rights.
10. Participants will adhere to a collectively determined governance structure that defines the roles and responsibilities of participants, ensures accountability and promotes the advancement of these Principles.	As a member of the TID - the sector dialogue group that merged with GNI in 2017, Orange contributes to implementing the principles of freedom of expression and privacy in the ICT industry, in particular through the exchange of best practice. Orange publishes a TRANSPARENCY REPORT ON FREEDOM OF EXPRESSION AND PRIVACY annually on its site <a href="http://www.orange.com">www.orange.com</a>
11. Participants will be held accountable through a system of (a) transparency with the public and (b) independent assessment and evaluation of the implementation of these Principles.	In 2018 Orange is implementing an enhanced reporting method, with a view to carrying out independent audits of major events that affect its activities in protecting human rights.

3 [https://www.orange.com/en/content/download/44409/1333601/version/2/file/SupplierCodeofConduct%20Orange2017\\_22092017.pdf](https://www.orange.com/en/content/download/44409/1333601/version/2/file/SupplierCodeofConduct%20Orange2017_22092017.pdf)